IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINRY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO. 2230 OF 2005

Bandra HIG Phase III Co-operative
Housing Societies Union Ltd. …Petitioners

Versus

Bombay Housing & Area
Development Board & Ors. ...Respondents

Mr. V.P. Sawant for the Petitioners

Mr. R.M. Sawant for Respondents No. 1 and 2

Ms. Aruna Savla for Respondent No. 6

Mr. Navin Parekh instructed by M/s. Mehta & Girdharlal
for Respondent No. 5.

CORAM: DALVEER BHANDARI, C.J., &
S. J. VAZIFDAR, J.
DATE : SEPTEMEBR 20, 2005.

P.C.:-

1. The learned counsel appearing for the petitioners, on instructions, wants to withdraw this petition in order to avail of alternative remedy available to him in accordance with law. Leave as prayed is granted. This petition is dismissed as withdrawn.

2. The learned counsel for the petitioners undertakes to file an appeal within two weeks from today. The learned counsel appearing for the Maharashtra Housing & Area Development Board (for short, 'MHADA') fairly submits that for a period of 6 weeks from today, MHADA would maintain *status quo* as of today. In case the appeal is not filed within two weeks, as undertaken, then, the undertaking given by the learned counsel for MHADA would be of no avail to the petitioners.

3. The authorities would be at liberty to extend the stay granted by this Court (Coram: R.M. Lodha & J.P. Devadhar, JJ.) dated 5th August, 2005 in Notice of Motion No. 233 of 2005 in Writ Petition No. 502 of 1999.

CHIEF JUSTICE

S.J. VAZIFDAR, J.